

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 09/449,912

Applicant: Divittorio

Filed: December 2, 1999

TC/AU: 2195

Examiner: Kenneth Tang

Docket No.: 202232 (Client Reference No. 99,032)

Customer No.: 23460

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE  
EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed December 12, 2005, rejecting the following claims: 1-26.

**1. Pre-Appeal Brief Request for Review**

A "Pre-Appeal Brief Request for Review" is ☒ filed concurrently herewith or ☐ is not being filed.

**2. Status of Applicants**

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

**3. Fee for Filing Notice of Appeal**

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☒ other than a small entity or ☐ a small entity.

Applicant has already paid fees for filing a Notice of Appeal, on June 12, 2006, therefore, no additional fees are due at this time. (See, MPEP Rev. 3 § 1204.01)

**Notice of Appeal Fee due \$0.00**

**4. Extension of Time**

- ☒ Applicant petitions for a three-month extension of time under 37 CFR 1.136, the fee for which is \$1,020.00.
- ☐ An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.
- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**Extension fee due with this request: \$1,020.00**

**5. Total Fee Due**

The total fee due is:

Notice of Appeal Fee	\$
Extension Fee (if any)	\$1,020.00

**Total Fee Due: \$1,020.00**

**6. Fee Payment**

- ☐ Attached is a check in the sum of \$ .
- ☒ Charge Account No. 12-1216 the sum of \$1,020.00. A duplicate of this transmittal is attached.

**7. Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,



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Date: April 6, 2007